

SB 285 - An Act Requiring That An Insurer Pay Costs and Attorney Fees for Denial or Termination of Medical Benefits That Are Later Determined Compensable by the Workers Compensation Court

**Vote YES for Montana Injured Workers!**

**Vote YES for Montana Healthcare Providers!**

CLAIMANTS, HEALTHCARE PROVIDERS AND ATTORNEYS SUPPORT THIS BILL.

\*Currently, if an insurer refuses or terminates benefits, delayed payment results and a case can go all the way through the courts and the insurer only has to pay the medical benefits that they should have paid in the first place. The attorney fees, if an attorney takes their percentage, comes out of the amount to be paid to the provider for the medical services.

\*Its about fairness and accountability. If a mistake is made by the insurer, why should the claimant, the attorney, and the provider end up paying for the mistake. The cost of the mistake should be paid by the one making it, the insurer.

\*Its about incentive for the insurer to properly and timely evaluate payment for medical benefits.

\*Its about access. Many claimants cannot obtain doctors and attorneys – they have stopped providing services to Worker Comp claimants because they cannot afford to provide the service.

\*It is really not about attorneys getting paid, as they get paid whether it passes or not. In fact, this is to guarantee that the doctor is paid its already reduced bill as the attorney fee percentage is now taken out of the money paid to the provider.

**SB 285 is simple:**

**A NO vote means that Montana Injured Workers, Healthcare Providers and Attorneys pay when the Workcomp Insurer refuses to pay medical bills. A YES vote makes the Workcomp Insurers pay for their refusal and delays in paying for medical benefits.**

**This is a bi-partison bill.**

**\*Passed the Senate in 2007 with a 47-3 vote.**

**\*A similar bill passed the House in both 2001 and 2003.**

**Vote YES on SB 285 !**